

COBY MACALUSO,  
Plaintiff,  
v.

## STIPULATION AND ~~[PROPOSED]~~ ORDER FOR VOLUNTARY REMAND

KILOLO KIJAKAZI,  
Acting Commissioner of Social Security,  
Defendant.

1 IT IS HEREBY STIPULATED by and between the parties, through their undersigned attorneys,  
2 and with the approval of the Court, that this action be remanded for further administrative action pursuant  
3 to sentence four of 42 U.S.C. § 405(g). The purpose of the remand is to offer Plaintiff a new decision.

4 On remand, the Commissioner will offer Plaintiff an opportunity for a new hearing, further  
5 develop the record as necessary, and issue a new decision. The parties further request that the Clerk of  
6 the Court be directed to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the  
7 final decision of the Commissioner.

8  
9 Date: December 18, 2023

LAW OFFICES OF FRANCESCO BENAVIDES

10 By: /s/ Caspar Chan for Francesco Benavides \*

11 FRANCESCO BENAVIDES

12 \*Authorized by email on December 18, 2023

Attorneys for Plaintiff

13 Date: December 18, 2023

PHILIP A. TALBERT

14 United States Attorney

15 Eastern District of California

16 By: /s/ Caspar Chan

CASPAR CHAN

17 Special Assistant United States Attorney

18 Attorneys for Defendant  
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ORDER

Accordingly, it is hereby ORDERED that:

1. The Clerk of Court is directed to enter final judgment in favor of plaintiff, and against defendant.
2. Plaintiff's motion for summary judgment, ECF No. 9, is denied as moot.
3. The Clerk of Court is directed to close this matter.

IT IS SO ORDERED.

Dated: December 18, 2023

  
JEREMY D. PETERSON  
UNITED STATES MAGISTRATE JUDGE